IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

Bail Appl..No. 1615 of 2007()

(IN CRIME NO.35 OF 2007 OF THRIKKUNNAPUZHA POLICE STATION)

PETITIONER:

PRAKASH S., S/O. SAHADEVAN, AGED 37,
KANNALATHARA KIZHAKKATHIL, PALLANA P.O.,
THRIKKUNNAPUZHA P.O.-690 515.

BY ADV. SRI.S.SREEKUMAR

RESPONDENT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1615 OF 2007 B

Dated this the 19th day of March, 2007

O R D E R

Petitioner, who is the 4th accused in Crime No.35/07 of Thrikkunnapuzha Police Station for an offence punishable under section 379 read with section 34 IPC in respect of a Yamaha Outboard Motor Engine, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the Yamaha Engine, which was stolen by accused Nos.1 to 3, was transported in an autorickshaw belonging to the petitioner and carried up to Neendakara, from where it was allegedly sold to one Tamilian and all the four accused persons are said to have shared the sale proceeds.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate concerned expeditiously. Accordingly, the petitioner is directed to surrender before the Investigating Officer at 10 a.m. on 26.3.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The

petitioner shall, thereafter, be produced on the same day before the concerned Magistrate, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks